ORIGINAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No. **8598**

Application of: **Parker, et al.**

Serial No.: **09/735,835**

Filed: **December 13, 2000**

For: **Interaction-Based Servicing of Business Customers**

Group Art Unit: **3627**

Examiner: **I. Borissov**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop <u>Appeal Brief - Patents</u>, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>January 9, 2004</u>
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BRIEF ON APPEAL

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is an appeal under 37 CFR § 1.191 to the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office from the final rejection of the claims 1-5, 7-13, and 15-20 of the above-identified patent application. These claims were indicated as finally rejected in an Office Action

dated October 7, 2003. Three copies of the brief are filed herewith, together with the $330.00 fee required under 37 C.F.R. § 1.17. Also, please provide any extension of time that may be necessary and charge any fees that may be due to Account No. 13-0014, but not to include any payment of issue fees.

(1) REAL PARTY IN INTEREST

NCR Corporation of Dayton, Ohio is the assignee of this patent application, and the real party in interest.

(2) RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences related to this patent application (serial no. 09/735,835).

(3) STATUS OF CLAIMS

Claims 1-5, 7-13, and 15-20 are pending in the application.

Claims 1-5, 7-13, and 15-20 are finally rejected.

Claim 7 suffers from a minor typographical error in that it is dependent on claim 6 which has been canceled (instead of the intended claim 1). This claim is not being appealed. However, if claim 1 is found to have been improperly rejected, Appellants intend to amend claim 7 to be dependent from claim 6 after resolution of this Appeal.

Claim 11 also suffers from a minor typographical error in that it is dependent on claim 1 which is inappropriate (instead of the intended claim 8).

This claim is not being appealed. However, if claim 8 is found to have been improperly rejected, Appellants intend to amend claim 11 to be dependent from claim 8 after resolution of this Appeal.

Claims 1-5, 8-10, 12-13, and 15-20 are being appealed.

Each of claims 1-5, 8-10, 12-13, and 15-20 is shown in the Appendix attached to this Appeal Brief.

(4) STATUS OF AMENDMENTS

Appellants have filed no amendments subsequent to the final rejection contained in the Office Action mailed October 7, 2002.

(5) SUMMARY OF INVENTION

The invention of claims 1, 2, 4, 8-9, and 18-20 relates to a method and system for generating a context for a customer/business interaction from a database of stored historical interaction data between a consumer and a business. The method includes generation of the context through use of interaction data obtained from a consumer. See, e.g., Applicants' specification at pages 6, line 16 to page 7, line 15, page 16, lines 14-22 and Fig. 3.

The invention of claims 3 and 10 are directed to the inventive method discussed above and further includes mining the interaction data from previous consumer to business interactions to generate historical interaction data that is stored in the historical interaction database. See, e.g., Applicants' specification at page 13, lines 9-15.

The invention of claims 5 and 12 are directed to the inventive method discussed above and also includes the transmission of the historical interaction data to a consumer in an actionable format. See, e.g., Applicant's specification at page 18, lines 10-14.

The invention of claims 13-17 are directed to the inventive method discussed above and also includes the use of email communication to obtain interaction data and return historical interaction data to a consumer. See, e.g., Applicant's specification at page 19, line 21 to page 23, line 10 and Figs. 5-7.

(6) ISSUES

1. Whether claims 1-5, 8-10, 12, and 18-20 are patentable under 35 U.S.C. § 103 as being obvious over Nonaka, et al. (U.S. Patent No. 5,485,544).

2. Whether claims 13 and 15-17 are patentable under 35 U.S.C. § 103 as being obvious over Nonaka, et al. in view of Garrett (U.S. Patent No. 6,473,738).

(7) GROUPING OF CLAIMS

The rejected claims do not stand or fall together.

Claims 1, 2, 4, 8-9, and 18-20 form a first separately patentable group that is argued independently of the other claims for purposes of this appeal.

Claims 3 and 10 form a second separately patentable group that is argued independently of the other claims for purposes of this appeal.

Claims 5 and 12 form a third separately patentable group that is argued independently of the other claims for purposes of this appeal.

Claims 13 and 15-17 form a fourth separately patentable group that is argued independently of the other claims for purposes of this appeal.

(8) ARGUMENT

First Claim Grouping (Claims 1, 2, 4, 8-9, and 18-20)

Claims 1-2, 4, 8-9, and 18-20 were rejected as being unpatentable under 35 U.S.C. § 103 as being obvious over Nonaka et al. (U.S. Patent No. 5,485,544). The Board of Appeals is respectfully requested to reconsider the rejection of claims 1-2, 4, 8-9, and 18-20.

1. Claim 1

Claim 1 reads as follows:

> 1. A method of operating a business processing unit to generate a context for an interaction between a consumer and a business comprising:
> storing historical interaction data between a consumer and a business in a historical interaction database, the historical interaction data regarding interactions between the business and the consumer;
> receiving a communication from the consumer through a device to obtain interaction data; and
> accessing in accordance with the obtained interaction data historical interaction data regarding the consumer; and
> generating from the accessed historical interaction data a context for the communication received from the consumer.

Appellant's invention of claim 1 is directed at a solution for the problem of facilitating interaction between a business and a consumer. The solution involves the generation of a context for a communication received from a consumer. This context may be used to facilitate a consumer's search of a web site for a business or to help a representative review pertinent information for

dealing with a particular event that occurred between a customer and the business.

2. The Nonaka, et al. Reference

In the October 7, 2003 Office Action (at page 3, lines 11-16), Nonaka, et al. (hereinafter "Nonaka") was cited as teaching that historical interaction data from communication with a consumer was stored in a historical interaction database. However, there is no reference to a historical interaction database as that term is described in Applicants' specification. The *Nonaka* reference states that the history buffer 60 stores the status history of the application 40. There is no reference to the history buffer 60 containing the types of data required for the historical interaction database as set forth for the present invention. The status data stored in the history buffer of *Nonaka* are related to changed status data regarding operation of the application 40. *See, Nonaka*, Col. 4, lines 42-47, Col. 5, lines 24-34, and Figs. 3 and 7a. The status data of an application program is not consumer/business interaction data. Consequently, reading *Nonaka* to teach a historical interaction database is tenuous at best.

Furthermore, even if *Nonaka* can arguably include a historical interaction database (and Applicants maintain that such a reading of *Nonaka* cannot stand), the supplementation of *Nonaka* with a design choice to include customer/business interaction data in the database is completely unsupported. That is, no teaching or suggestion has been cited that demonstrates that one of ordinary skill in the art would use a help message system, such as the one

disclosed in *Nonaka*, to facilitate customer/business interactions. *Nonaka* does not provide any evidence of such motivation and, in fact, the system of *Nonaka* appears inadequate. One shortcoming of *Nonaka* for such a use is that the history buffer of *Nonaka* does not appear to persist beyond the termination of the application 40. Use of the term "buffer" to describe the storage for past statuses while the term "data base" is used to describe the storage for help messages and rules for the inference engine, Col. 1, line 65 to Col. 2, line 6, suggests that the history buffer only exists for a session of an application's execution for one particular user. Such a data structure does not provide an adequate repository for the customer/business interaction data required by claim 1 so that a context for a customer communication may be generated.

Additionally, *Nonaka* does not teach or suggest the accessing of the historical interaction database, which is not present in *Nonaka*, in accordance with interaction data obtained from a consumer. *Nonaka*, instead, accesses a history buffer of statuses without reference to data obtained from a user but rather traverses a data tree through a backwards sequence of stored inference rules (Col. 7, lines 3-21). The ground of rejection does not adequately support the statement that *Nonaka* teaches or suggests such access or that it is merely a design choice to use the help message system of *Nonaka* to access a historical interaction database.

Applicants also note that the purpose of the help message system of *Nonaka* is to select a help message from the message database that corresponds to the statuses stored in the history buffer. Applicants' invention set

forth in claim 1 requires the generation of a context from accessed historical interaction data not a mere selection of a particular piece of data. The ground of rejection fails to particularly identify how a context is generated by the system of *Nonaka*. Instead, *Nonaka* would only be available to retrieve a context from a data repository that is stored intact in the repository. The sections of *Nonaka* cited in support of this claim element are completely devoid of any discussion of generating a context.

3. There Exists No Teaching, Suggestion, or Incentive which Supports Modifying Nonaka in the Proposed Manner

Obviousness cannot be established by modifying the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the modification.

A legally proper teaching, suggestion or incentive that supports modifying *Nonaka* in a manner which arrives at the invention of claim 1 does not appear to have been identified in the October 7, 2003 Office Action. In short, *why* would one skilled in the art have been motivated to modify *Nonaka* as set forth in the Final Office Action? The January 9, 2002 Office Action merely states that interaction data are indiscriminate but this statement fails to note the different types of data set forth in Applicants' specification. Furthermore, it overlooks the different methods that the *Nonaka* and Applicants' systems use to access the history buffer of *Nonaka* and the historical interaction database of Applicants' claim 1. There is likewise no appreciation of the difference between selecting a single help message from a message database and the generation of a context

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from historical interaction database. The only apparent motivation for providing a system that generates a context from historical interaction data is presented in Applicants' specification and that motivation may not be used to modify *Nonaka*.

To present a case of *prima facie* obviousness, Examine must do more than simply note that a thoroughgoing revision of a reference *may* be possible to provide Applicant's invention. Examiner must (1) identify some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, (2) demonstrate a reasonable expectation of success for the proposed combination, and (3) show that all of the claim limitations are taught or suggested by the references. MPEP § 2142. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed Cir. 1991). Applicant respectfully submits that Examiner has failed to make a *prima facie* case with respect to any of the claim groupings presented in this appeal.

Examiner has failed to identify any teaching, suggestion, or incentive existing in the prior art to make the claimed combination proposed by Examiner. Absent such reasons or incentive, the teachings of the references are not properly combinable. Nowhere does the *Nonaka* reference appreciate any shortcoming in customer/business interactions and certainly *Nonaka* does not recognize the problem of providing an appropriate context from historical interaction data for facilitating an interaction between a customer and a

business. Thus, the *Nonaka* reference sees no need for the modification proposed by Examiner. Further, no motivation has been cited that a customer/business system designer would look to the art of help message systems to design a customer/business system.

Examiner has also failed to identify a reasonable expectation of success *in the prior art* for the proposed modification. Because *Nonaka* does not recognize the problem of providing an appropriate context from historical interaction data for customer/business interactions, the statement in the Final Office Action of October 7, 2003 regarding the obvious design choice modification for a help message system is evidence that Examiner is using Applicant's disclosure to modify the cited reference. Only by reading Applicants' disclosure is Examiner even aware of this problem and the structure proposed by Applicants to solve the problem.

For at least these reasons, the Examiner has failed to present a valid *prima facie* case for obviousness of the claimed invention. Consequently, the Board of Appeals is respectfully requested to reverse the rejection of claim 1.

Discussion Re: Patentability of Claim 2

Claim 2 depends directly from claim 1. As a result, claim 2 is allowable for the reasons hereinbefore discussed with regard to claim 1. Claim 2 also requires an access channel and no teaching regarding access channels for interaction data is presented in *Nonaka*. Thus, claim 2 is further allowable over the cited art.

Discussion Re: Patentability of Claim 4

The discussion in regard to the patentability of claim 1 is relevant to the patentability of claim 4. As a result, claim 4 is allowable over *Nonaka*.

Discussion Re: Patentability of Claim 8

Claim 8 is an independent claim that more particularly sets forth some of the claim elements that were presented in claim 1. For example, the persistence of the historical interaction database is more pronounced in claim 8 as well as the content of the communication that is used for accessing the historical interaction database. Thus, for many of the same reasons set forth with regard to claim 1, claim 8 is allowable over the cited art.

Discussion Re: Patentability of Claim 9

Claim 9 depends directly from claim 8. As a result, claim 9 is allowable for the reasons hereinbefore discussed with regard to claim 1. Claim 9 also requires an access channel and no teaching regarding access channels for interaction data is presented in *Nonaka*. Thus, claim 9 is further allowable over the cited art.

Discussion Re: Patentability of Claim 18

Claim 18 is an independent claim that is directed to a system for performing the method of claim 1. The ground of rejection for claim 18 fails to state how the history buffer of *Nonaka* suggests the data storage adaptation for retention of customer to business interaction data regarding a consumer as well

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as properly identifying the components and functions of the help message system in *Nonaka* that provide a context generator as set forth in claim 18. Thus, for many of the same reasons set forth with regard to claim 1, claim 18 is allowable over the cited art.

Discussion Re: Patentability of Claim 19

Claim 19 depends directly from claim 18. As a result, claim 19 is allowable for the reasons hereinbefore discussed with regard to claims 18 and 1. Claim 19 also requires an access channel and no teaching regarding access channels for interaction data is presented in *Nonaka*. Thus, claim 19 is further allowable over the cited art.

Discussion Re: Patentability of Claim 20

Claim 20 depends from claim 18 and, consequently, the discussion regarding the patentability of claims 1 and 18 set forth above is relevant to the patentability of claim 20. As a result, claim 20 is allowable over *Nonaka*.

Second Claim Grouping (Claims 3 and 10)

Claims 3 and 10 were rejected as being unpatentable under 35 U.S.C. § 103 as being obvious over *Nonaka* et al. (U.S. Patent No. 5,485,544) as modified by design choices. The Board of Appeals is respectfully requested to reconsider the rejection of claims 3 and 10.

Claim 3 depends directly from claim 1. As a result, claim 3 is allowable for the reasons hereinbefore discussed with regard to claim 1. Moreover, claim 3 recites additional novel and non-obvious limitations. In particular, claim 3 reads as follows:

> 3. The method of claim 1, further comprising:
> mining the interaction data from previous consumer to business interactions to generate historical data; and
> the storage of historical interaction data between a consumer and a business includes storing the mined interaction data from the previous consumer to business interactions in the historical interaction database.

There is no teaching, suggestion or incentive that supports modification of *Nonaka* to include the mining of interaction data for storage in the historical interaction database as required by claim 3. In fact, the ground of rejection fails to identify any portion of *Nonaka* that discusses data mining, especially in relation to the statuses that are stored in the history buffer 60 of that reference. Thus, no evidence has been cited as teaching or suggesting that particular claim limitation. Furthermore, nothing in *Nonaka* would motivate one skilled in the art to modify the help message system of that reference to mine interaction data as required by Appellant's invention of claim 3. Again, arriving at Appellant's invention of claim 3 without evidence that one of ordinary skill in the art would modify the cited reference to solve the problem of providing a context for customer/business interaction demonstrates an impermissible use of Applicant's disclosure as hindsight. As a result, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with regard to Appellant's invention of claim 3. Accordingly, the Board of Appeals is respectfully requested to reverse the rejection of claim 3.

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Discussion Re: Patentability of Claim 10

Claim 10 depends directly from claim 8. As a result, claim 10 is allowable for the reasons herein discussed with regard to claim 8. Moreover, the discussion in regard to the patentability of claim 3 is relevant to the patentability of claim 10 because claim 10 also includes the mining and storage of interaction data. As a result, claim 10 is allowable over *Nonaka*.

Third Claim Grouping (Claims 5 and 12)

Claims 5 and 12 were rejected as being unpatentable under 35 U.S.C. § 103 as being obvious over *Nonaka* et al. (U.S. Patent No. 5,485,544) as modified by design choices. The Board of Appeals is respectfully requested to reconsider the rejection of claims 5 and 12.

Claim 5 depends directly from claim 4 and claim 4 depends directly from claim 1. As a result, claim 5 is allowable for the reasons hereinbefore discussed with regard to claims 1 and 4. Moreover, claim 5 recites additional novel and non-obvious limitations. In particular, claim 5 reads as follows:

> 5. The method of claim 4, wherein the transmission of the historical interaction data to the consumer includes providing the historical interaction data to the consumer in a consumer actionable format at the device through which the communication was received.

Nonaka does not disclose the following step:

> providing the historical data to the consumer in a consumer actionable format at the device through which the communication was received.

The ground of rejection set forth for this claim admits the actionable format is absent from *Nonaka* but asserts that such a format would be an obvious design choice. However, nothing is provided as support for the availability of this design choice for this modification of *Nonaka*. Nowhere is it demonstrated that the prior art expected a help message system to be modified to include a consumer actionable format for historical data transmitted to a consumer. Thus, no showing has been made that all the limitations of claim 5 were available to one of ordinary skill in the art or that one of ordinary skill in the art would be motivated to consider modifying a help message system to provide a consumer/business interaction system. Consequently, a *prima facie* case of obviousness under 35 U.S.C. § 103 has not been established with regard to Appellant's invention of claim 5, and the Board of Appeals is respectfully requested to reverse the rejection of claim 5.

Discussion Re: Patentability of Claim 12

Claim 12 depends directly from claim 11 and claim 11 depends from claim 8 upon entry of the amendment presented to claim 11 after the Final Office Action. As a result, claim 12 is allowable for the reasons hereinbefore discussed with regard to claim 8 and 11. Moreover, the discussion in regard to the patentability of claim 5 is relevant to the patentability of claim 12 because claim 2 requires a consumer actionable format for the generated context. As a result, claim 12 is allowable over *Nonaka*.

Fourth Claim Grouping (Claims 13 and 15-17)

Claims 13 and 15-17 were rejected as being unpatentable under 35

U.S.C. § 103 as being obvious over *Nonaka* et al. (U.S. Patent No. 5,485,544) in

view of Garrett (U.S. Patent No. 6,473,738). The Board of Appeals is

respectfully requested to reconsider the rejection of claims 13 and 15-17.

Claim 13 is an independent claim that is directed to a method for

generating context for an email communication from a consumer. It includes

limitations that were discussed above with respect to claim 1. As a result, claim

13 is allowable for the reasons hereinbefore discussed with regard to claim 1.

Moreover, claim 13 recites additional novel and non-obvious limitations. In

particular, claim 13 reads as follows:

> 13. A method for generating context for an e-mail from a consumer to a
> business regarding an Internet site of the business, the method comprising:
> receiving an email originating from an Internet terminal of a consumer,
> the e-mail having consumer identification data and consumer Internet session
> history data regarding an Internet site of the business;
> accessing in accordance with the consumer identification data stored
> historical interaction data regarding the consumer;
> generating a response to the email in accordance with the consumer
> identification data, the consumer Internet session history data, and the accessed
> historical interaction data.

The ground of rejection for this claim is based upon a reading of *Nonaka*

that reads the reference too expansively, i.e., it reads Applicants' specification

into the reference, and envisions a combination of *Nonaka* and *Garrett* without

providing any support for motivation to combine the two references. While

Garrett does disclose the use of email communication in a system for consumer

purchases, no reasonable motivation is supplied for combining the system of

Garrett with the help message system of *Nonaka*. Indeed, *Garrett* appears to

have been cited because the words "email" and "purchase history" are scattered through the reference. However, there is no cited use of purchase history to generate a context in *Garrett* as there was no historical interaction database or generated context in *Nonaka*. That the claimed invention may employ some known elements (such as email or transaction data) does not itself establish that the invention would have been obvious. <u>See</u>, *e.g., Lindermann Maschinenfabrik GmbH V. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

Where the cited references do not disclose the limitations set forth in the claims and the combination does not produce the claimed method or system unless it is modified in accordance with Applicants' specification, there can be no proper rejection of a claim. Furthermore, no support is given for combining a help message system with a multi-person information system so no motivation for the cited combination is available as a starting point for applying Applicants' specification, if that were permitted. Consequently, a *prima facie* case of obviousness under 35 U.S.C. § 103 has further not been established with regard to Appellant's invention of claim 13, and the Board of Appeals is respectfully requested to reverse the rejection of claim 13.

<u>Discussion Re: Patentability of Claim 15</u>

Claim 15 depends directly from claim 13. As a result, claim 15 is allowable for the reasons hereinbefore discussed with regard to claim 13. Moreover, the discussion in regard to the patentability of claim 13 is relevant to

the patentability of claim 15. Furthermore, claim 15 requires the generation of an email template that includes consumer identification data and the consumer Internet session history. No evidence in *Garrett* clearly identifies an email template or an Internet session history. Also, no motivation has been identified for using the features of *Garrett* in a help message system such as the one disclosed by *Nonaka*. As a result, claim 15 is allowable over *Nonaka* and *Garrett*.

Discussion Re: Patentability of Claim 16

Claim 16 depends directly from claim 15 and claim 15 from claim 13. As a result, claim 16 is allowable for the reasons hereinbefore discussed with regard to claims 15 and 13. Claim 16 also requires the invoking of an e-mail program in response to selection of an e-mail link on a business Internet site and well as the provision of the email template of claim 15. No evidence in *Garrett* clearly identifies the invoking of an e-mail program for such a selection and no motivation has been identified for using the features of *Garrett* in a help message system such as the one disclosed by *Nonaka*. As a result, claim 16 is allowable over *Nonaka* and *Garrett*.

Discussion Re: Patentability of Claim 17

Claim 17 depends directly from claim 13. As a result, claim 17 is allowable for the reasons hereinbefore discussed with regard to claim 13. Claim 17 also requires the mining of interaction data as required by claims 3 and 10. Thus,
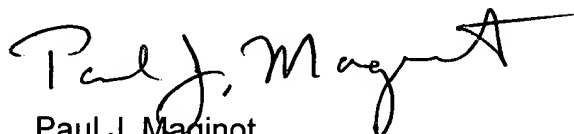
claim 17 is patentable for reasons discussed with respect to those claims. No motivation has been identified for using the email features of *Garrett* in a help message system, such as the one disclosed by *Nonaka*. Even if there were such motivation, though none has been identified, there is no evidence that such a combination would be modified to include data mining as required by claim 17. As a result, claim 17 is allowable over *Nonaka* and *Garrett*.

(9) CONCLUSION

No ground of rejection has been adequately supported to demonstrate that claims 1-5, 8-10, 12, and 13-20 are obvious under 35 U.S.C. § 103 over *Nonaka* alone or in combination with *Garrett*. The Board of Appeals is respectfully requested to reverse the rejection of these claims.

Respectfully submitted,

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(10) APPENDIX

Claim 1 A method of operating a business processing unit to generate a context for an interaction between a consumer and a business comprising:

storing historical interaction data between a consumer and a business in a historical interaction database, the historical interaction data regarding interactions between the business and the consumer;

receiving a communication from the consumer through a device to obtain interaction data;

accessing in accordance with the obtained interaction data historical interaction data regarding the consumer; and

generating from the accessed historical interaction data a context for the communication received from the consumer.

Claim 2 The method of claim 1, wherein the communication through the device is received via an access channel.

Claim 3: The method of claim 1, further comprising:

mining the interaction data from previous consumer to business interactions to generate historical interaction data; and

the storage of historical interaction data between a consumer and a business includes storing the mined interaction data from the previous consumer to business interactions in the historical interaction database.

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Claim 4: The method of claim 1, further comprising:

transmitting the historical interaction data to the device through which the communication was received.

Claim 5: The method of claim 4, wherein the transmission of the historical interaction data to the consumer includes providing the historical interaction data to the consumer in a consumer actionable format at the device through which the communication was received.

Claim 6 (canceled).

Claim 7: (not being appealed) The method of claim 6, wherein the communication includes consumer identification data.

Claim 8: A method of interaction between a business and a consumer comprising:

maintaining a database of past interaction data from previous consumer to business interactions;

receiving an interaction initiation having interaction data from a consumer;

accessing in accordance with the received interaction data past interaction data regarding the consumer from the database of past interaction data; and

generating a context from the past interaction data regarding the

consumer that was accessed in accordance with the received interaction data.

Claim 9: The method of claim 8, wherein the interaction initiation is received via

an access channel.

Claim 10: The method of claim 8, further comprising:

mining the interaction data from previous consumer to business

interactions to generate historical interaction data; and

the maintenance of past interaction data includes storing the mined

interaction data in the past interaction database.

Claim 11: (not being appealed) The method of claim 1, further comprising:

presenting the generated context to the consumer.

Claim 12: The method of claim 11, wherein the presentation of the generated

context to the consumer includes providing the generated context to the

consumer in a consumer actionable format.

Claim 13: A method for generating context for an e-mail from a consumer to a

business regarding an Internet site of the business, the method comprising:

receiving an e-mail originating from an Internet terminal of a consumer, the e-mail having consumer identification data and consumer Internet session history data regarding an Internet site of the business;

accessing in accordance with the consumer identification data stored historical interaction data regarding the consumer;

generating a response to the email in accordance with the consumer identification data, the consumer Internet session history data, and the accessed historical interaction data.

Claim 14 (canceled).

Claim 15: The method of claim 13, further comprising:

automatically generating a template e-mail on the Internet terminal of the consumer in response to the consumer selecting an e-mail link on the business Internet site, the template e-mail including the consumer identification data and the consumer Internet session history.

Claim 16: The method to claim 15, further comprising:

automatically invoking an e-mail program on the Internet terminal of the consumer in response to the consumer selecting the e-mail link on the business Internet site and providing the template e-mail to the e-mail program.

Claim 17: The method of claim 13, further comprising:

mining interaction data from previous consumer to business interactions; and

storing the mined interaction data from the previous consumer to business interactions in a historical interaction database.

Claim 18: An apparatus for establishing a context of an interaction between a consumer and a business comprising:

a data storage adapted to retain historical consumer to business interaction data regarding a consumer;

means for receiving a communication from the consumer; and

a context generator for generating a context for the communication received from the consumer, the context being generated in accordance with historical consumer to business interaction data accessed in accordance with data obtained from the consumer communication.

Claim 19: The apparatus of claim 18, further comprising:

means for providing a response to the communication received from the consumer, the response incorporating data from the generated context.

Claim 20: The apparatus of claim 18, wherein the means for receiving a communication from the consumer is coupled to an access channel.